

**Department of Mental Health
Exceptions Committee Meeting**

December 3, 2004

Minutes

In attendance were Rosie Anderson-Harper, Jodi Frederick, Julie Carel, Jennifer Wyble, and coordinator Richard Overmann.

Wiley L. Johnson, a private individual requested an exception from the employment-disqualification provisions of 9 CSR 10-5.190. He committed first degree assault against his wife in 1985. The committee requested additional information as required under 9 CSR 10-5.190 (4), specifically three letters of reference and an employment history.

Letun "Toni" Johnson, a private individual requested an exception from the employment-disqualification provisions of 9 CSR 10-5.190. She is disqualified from employment because of two counts of class 2 neglect occurring on December 20, 2002 and August 12, 2003. She was employed by Heartland Residential Care Facility from October 16, 2003 to September 30, 2004 and that agency supports the exception. The committee noted that (1) one of the disqualifying incidents consisted of failure of Ms. Johnson to report a potentially dangerous medication error and (2) that it has been only fifteen months since the second disqualifying incident and the information presented did not indicate any remedial education or training. The committee did not approve the request.

Lee Gleason, a private individual, requested an exception from the disqualification provisions of 9 CSR 10-5.190. He was convicted of manslaughter in 1981 and this disqualifies him from volunteer service. The application was accompanied by a letter from Fulton State Hospital "vigorously" supporting Mr. Gleason's application. The committee noted that Mr. Gleason has completed his sentence for manslaughter and yet he is still under conditional release from Fulton State Hospital since 2001. The committee requested additional information as follows.

- (1) Did Mr. Gleason commit a crime or crimes in addition to manslaughter in 1981?
- (2) What has Mr. Gleason been doing while on conditional release?

Michael Harrison. The committee resumed consideration of an application from a private individual, Michael Harrison. His application was first considered at the meeting on September 7, 2004 with the following outcome.

Michael Harrison requested an exception under 9 CSR 10-5.190 and is supported by Benilde Hall of Kansas City; this agency supports Mr. Harrison's desire to work as a Substance Abuse Counselor treatment trainee in Imani House. The disqualifying crime was second degree robbery and it occurred in 1982. Mr. Harrison stated that the crime was alcohol related. The committee expressed some concerns that he began substance abuse treatment recently and is currently in treatment. The committee is asking for additional information regarding the circumstances that led Mr. Harrison into treatment at this time.

Mr Harrison submitted additional information dated November 17, 2004. This letter indicated that Mr. Harrison was still in treatment up until September 9, 2004. The committee denied the request because Mr. Harrison has been out of treatment only two months .

Al and Judy's Residential Care requested an exception from 9 CSR 40-3.115(8)(B)3C which requires medication orders to be reviewed every 90 days. The agency states that it considers it sufficient to have the pharmacist sign off on the medications but the surveyors require the signature of the physician. The committee noted that the review of the medication orders is intended to follow the physician's assessment of the individual and therefore the physician should be the person to renew the medication orders. The committee denied the request.

Cherly Braun. The committee resumed consideration of a request from Cherly Braun, whose case was first considered at the November meeting.

Cheryl L. Braun, BA, RASAC II, requested an exception of requirements for a Qualified Substance Abuse Professional under 9 CSR 10-7.140. She stated that she has a Bachelor's degree in Psychology and that her Addiction Counseling Certificate should be considered credit for training and experience. The material presented in the request did not clearly indicate how much relevant experience Ms. Braun has, and the committee requested additional information.

Ms. Braun submitted a resume dated November 16, 2004 in support of her request. The committee did not find in Ms. Braun's background any compelling information to support an exception to the requirements for a Qualified Substance Abuse Professional. The committee denied the request.

New Beginnings, St Louis, requested an exception under 9 CSR 10-5.190 on behalf of Lawrence Adams to allow him to work as an associate counselor. In August of 2001 the committee granted an approval but limited it to the position of community support worker. The relevant minutes from the meeting of August 7, 2001 are as follows.

"Lawrence Adams requested an exception under 9 CSR 10-5.190. Mr. Adams was convicted of attempted murder, robbery and burglary in 1977. He served about thirteen years in prison and has been employed for at least seven years at Hogan Street Regional Youth Center. He is currently seeking a waiver to allow him to work at New Beginnings – C-Star as a Community Support Worker. The committee approved the request with the condition that it is limited Mr. Adam's employment as a Community Support Worker in the New Beginnings C-Star program. "

The committee noted that for a time Mr. Adams apparently worked as a Residential Supervisor even though the committee had not approved the waiver for this position. Nevertheless, noting his successful employment since the exception was originally granted, the committee approved the request to extend the existing waiver to the position of Associate Counselor.

Addiction Recovery Services. The committee resumed consideration of a request from Addiction Recovery Services for Mr. Jack Webb. The relevant minutes from the August meeting are as follows.

"Addiction Recovery Services, Kansas city, requested an exception from the qualifications for a qualified substance abuse professional under 9 CSR 10-7.140. The request was made on behalf of Jack Webb who is currently employed at the agency. The committee noted that Mr. Webb has about twenty-five hours of college work and about twelve of those hours were related to the treatment of alcohol and drug abuse. In his letter to the committee Mr. Webb stated that he has eight years experience as a drug abuse counselor; however,

the material presented in the request did not explain why employers determined he was qualified for counseling responsibilities. The committee asked for additional information related to his background and experience, to include a transcript of his college work, a resume, and other documentation that will illustrate his qualifications."

The committee reviewed additional information from Mr. Webb dated November 15, 2004. The committee did not find in Mr. Webb's background the type of extraordinary experience that would justify an exception to the requirements for a Qualified Substance Abuse Professional. The committee denied the request.

New Beginnings requested an exception under 9 CSR 10-5.190 on behalf of Bertell Williams. He is being considered for janitorial work at the agency but is disqualified due to a conviction of robbery in 1980, at which time he was 17 years old. The committee requested additional information, specifically a Criminal Record History from the Missouri State Highway Patrol.

Victor Colbert, a private individual, requested an exception from the employment disqualification provisions of 9 CSR 10-5.190. During the 1970s and 1980s he committed robbery on two occasions and burglary on three occasions. He is now seeking employment at Comprehensive Mental Health Services, Inc as an Associate Addictions Counselor in their C-Star/Adolescent program. The agency wrote in support of the application. The committee approved the request.

December 8, 2004

Wiley L. Johnson
7921 Park Ave.
Kansas City, MO 64132

Dear Mr. Johnson:

On December 3, 2004 the Department of Mental Health Exceptions Committee reviewed your request for an exception dated November 2, 2004. The committee requested additional information as required under 9 CSR 10-5.190 (4), specifically three letters of reference and an employment history.

If you have any questions in this matter, please contact me at 573-751-8077.

Sincerely.

Richard H. Overmann
Exceptions Committee Coordinator

December 6, 2004

Letun Johnson
1605 North 36th, Apt #4
St. Joseph, MO 64506

Dear Ms. Johnson:

On December 3, 2004 the Department of Mental Health Exceptions Committee reviewed your request for an exception dated November 17, 2004. The committee did not approve the request.

You have the right to repeat the request in twelve months.

If you have any questions in this matter, please contact me at 573-751-8077.

Sincerely,

Richard H. Overmann
Exceptions Committee Coordinator

December 6, 2004

Lee Gleason
230 North Summit Drive #180
Holts Summit, MO 74043

Dear Mr. Gleason:

On December 3, 2004 the Department of Mental Health Exceptions Committee reviewed your request for an exception dated November 15, 2004. The committee noted that you have completed your sentence for manslaughter but remain under conditional release from Fulton State Hospital since 2001. The committee requested additional information as follows.

- (1) Were you involved in a crime in addition to the 1981 manslaughter.
- (2) What activities have you been involved in while on conditional release.

If you have any questions in this matter, please contact me at 573-751-8077.

Sincerely,

Richard H. Overmann
Exceptions Committee Coordinator

CC Anthony A. Menditto, PH.D.

December 6, 2004

Michael Harrison

Dear Mr. Harrison:

On December 3, 2004, the Department of Mental Health Exceptions Committee reviewed the additional information that you provided in relation to your request for an exception. Your letter of November 17, 2004 indicated that you were still in treatment up until September 9, 2004. The committee denied the request because it has been only two months since you completed treatment.

If you have any questions in this matter, please give me a call at 573-751-8077.

Sincerely,

Richard H. Overmann
Exceptions Committee Coordinator

December 6, 2004

Judy Jones
Al & Judy's Residential Care
250 Richter Rd.
Bourbon, MO 65441

Dear Ms. Jones

On December 3, 2004, the Department of Mental Health Exceptions Committee reviewed your request for an exception dated November 22, 2004 regarding 9 CSR 40-3.115(8)(B)3C. The committee noted that the review of the medication orders is intended to follow the physician's assessment of the individual and therefore the physician should be the person to renew the medication orders. The committee denied the request.

If you have any questions in this matter, please give me a call at 573-751-8077.

Sincerely,

Richard H. Overmann
Exceptions Committee Coordinator

December 6, 2004

Cheryl Braun, RASAC II
7836 S. E. Little Acres Lane
Holt, MO 64048

Dear Ms. Braun:

On December 3, 2004, the Department of Mental Health Exceptions Committee reviewed the your letter, dated November 16, 2004, in support of your request for an exception. The committee denied the request because it did not find in your background the type of extraordinary experience that would justify a waiver of the requirements for a Qualified Substance Abuse Professional.

If you have any questions in this matter, please give me a call at 573-751-8077.

Sincerely,

Richard H. Overmann
Exceptions Committee Coordinator

December 6, 2004

Clarissa Cobb-Fritz
New Beginnings
3901 N. Union Blvd., Ste 101
St. Louis, MO 63115

Dear Ms. Cobb-Fritz:

On December 3, 2004, the Department of Mental Health Exceptions Committee reviewed your request for an exception dated November 22, 2004, on behalf of Lawrence Adams. The committee approved the request to extend the existing waiver to the position of Associate Counselor..

If you have any questions in this matter, please give me a call at 573-751-8077.

Sincerely,

Richard H. Overmann
Exceptions Committee Coordinator

December 6, 2004

Mr. Jack Webb
1767 NW 75Rd
Kingsville, MO 64061

Dear Mr. Webb:

On December 3, 2004, the Department of Mental Health Exceptions Committee reviewed your letter, dated November 15, 2004, in support of your request for an exception. In its consideration of the information contained in your request, the committee did not find the type of extraordinary experience that would support an exception to the requirements for a Qualified Substance Abuse Professional. The committee denied the request.

If you have any questions in this matter, please give me a call at 573-751-8077.

Sincerely,

Richard H. Overmann
Exceptions Committee Coordinator

Cc Tom Reardon CSAC II

Note to Darlene – Tom Reardon works at Addiction Recovery Services, Clay County Drug Court, 1 507 N.E.Parvin Road, Kansas City, Missouri 64116

December 6, 2004

Bertell Williams
5883 Julian
St. Louis, MO 63112

Dear Mr. Williams:

On December 3, 2004 the Department of Mental Health Exceptions Committee reviewed your request for an exception dated December 1, 2004. The committee requested additional information, specifically a Criminal Record History from the Missouri State Highway Patrol.

If you have any questions in this matter, please give me a call at 573-751-8077.

Sincerely,

Richard H. Overmann
Exceptions Committee Coordinator

December 6, 2004

Victor Colbert
7811 E. 73rd Street
Kansas City, MO 64133

Dear Mr. Colbert:

On December 3, 2004 the Department of Mental Health Exceptions Committee reviewed your request for an exception dated December 1, 2004 regarding 9 CSR 10-5.190. The committee approved the request.

If you have any questions in this matter, please give me a call at 573-751-8077.

Sincerely,

Richard H. Overmann
Exceptions Committee Coordinator

Cc Nicholas Penland MSW, CSACII

Note to Darlene Nicholas Penland works at Comprehensive Mental Health Services, Inc, 10819 Winter Road, Independence, MO 64502